

**A-E JOINT BOARD
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MADISON WI
APRIL 13, 2005**

PRESENT: Gary Gust, Arno Haering, James Otto, Walter Wilson, Scott Berg, James Dorn, Donna Rozar, Matthew Janiak, James Rusch, Rick Van Goethem, Jay Fernholz, Bernie Abrahamson, Robert Hoskins, Ruth G. Johnson, and Rosheen Styczinski

EXCUSED: Michael Ohberg, Lynda Farrar, Martin Hanson, Dale Paczkowski, Nancy Sobczak, Wayne Tlusty

STAFF PRESENT: Jerry Lowrie, Bureau Director; Colleen Baird, Legal Counsel; Sandra Rowe, Deputy Secretary; Chris Klein, Executive Assistant; Pat Schenck, Program Assistant

CALL TO ORDER

Jay Fernholz called the meeting to order at 9:42 a.m. A quorum of thirteen members was present.

AGENDA

Additions to agenda:

- Delete Item #4
- Item #12 - Add adoption of comity rule – Professional Engineers Section

MOTION: James Rusch moved, seconded by Donna Rozar, to approve the agenda as amended. Motion carried unanimously.

ELECTION OF OFFICERS FOR 2005

MOTION: James Rusch moved, seconded James Otto, to nominate and elect Jay Fernholz as the Chair of the A-E Joint Board. Motion carried unanimously.

MOTION: Ruth G. Johnson moved, seconded by James Dorn, to nominate and elect Rick Van Goethem as the Vice Chair of the A-E Joint Board. Motion carried unanimously.

MOTION: James Rusch moved, seconded by Robert Hoskins, to nominate and elect Ruth G. Johnson as the Secretary of the A-E Joint Board. Motion carried unanimously.

MINUTES – NOVEMBER 18, 2004

Amendments to the Minutes:

Page 8 of 8, delete *one landscape architect section member* from the first motion.

Page 5 of 8, delete fifth sentence under continuing education "Reduce the necessary etc."

MOTION: Ruth G. Johnson moved, seconded by Rick Van Goethem, to approve the minutes of November 18, 2004 as amended. Motion carried unanimously

ADMINISTRATIVE REPORT JERRY LOWRIE, BUREAU DIRECTOR

Mr. Lowrie reported that the Department of Administration has approved the building renovation project and construction should be completed by September 1, 2005.

Governor Doyle appointed Celia Jackson as Secretary of the Department of Regulation and Licensing. Jackson will begin on April 25, 2005. Ms. Jackson began her career as an Assistant District Attorney, went on to become Assistant Dean of the Marquette University Law School, and later she founded her own law firm and specialized in real estate, civil litigation, as well as criminal and corporate law.

Jackson served with the Archdiocese of Milwaukee as the Archbishop's Delegate for Community Services from 1999 to 2004. During her time at the Archdiocese, she confronted issues ranging from race relations to youth violence.

BOARD ROSTER

The Board reviewed and updated the Roster.

2005 MEETING DATES

The next meeting is scheduled for November 9, 2005. The Board suggested scheduling Section meetings around the A-E Joint Board Rules Committee and A-E Joint Board.

SUMMARY OF REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

Noted.

TRAVEL AND HOTEL POLICY DISCUSSION

Mr. Lowrie reported on the Department's hotel reservation and travel policy. The Department will fund one Board or Section member per fiscal year. It will be the Board members responsibility to cancel hotel reservations made under their name if they will not be attending a meeting.

DEPARTMENT BUDGET UPDATE

Mr. Lowrie reported on the Governor's budget reduction of 10% along with staff reductions by 11.85 positions. The Governors budget proposal is to restructure the Department by moving attorneys, paralegals, human resource staff, and payroll benefit services to the Department of Administration. Consolidate attorneys to become part of an enterprise-wide law firm. This would reduce the Department positions by 28 full time employees. The expenditure authority would remain to purchase

services from the Department of Administration. The impact of reducing of legal attorneys is unknown. Investigators and other Division of Enforcement staff will remain at the Department. The Department will retain the Impaired Professional program.

Deputy Secretary Sandra Rowe met with the Board to answer questions the Board had regarding the Governor's budget request.

The Board is concerned about not having access to legal counsel at the A-E Joint Board Rules Committee meetings, the A-E Joint Board meetings and individual Section meetings.

MOTION: Walter Wilson moved, seconded by James Rusch, that the A-E Joint Board Chair, submit a letter to the Co-Chairs of the Joint Committee on Finance to express the Boards concerns regarding the Governor physically moving the Attorney that represents the A-E Joint Board Rules Committee, the A-E Joint Board, and the individual Sections from the Department of Regulation and Licensing to the Department of Administration. Motion carried unanimously.

SMALL BUSINESS REVIEW COMMITTEE KRIS KLEIN

Mr. Klein addressed the Board regarding the rule process and the effect any rule change may have on small businesses. Act 145 created a Small Business Board in the Department of Commerce. The Small Business Board has eight small business owners throughout the state of Wisconsin, five state agencies, (including the Department of Regulation and Licensing) two legislatures, and the Chair.

The Board reviews any rule that an agency feels may have an effect on small businesses. The agency goes before the Board to present the rule change and the Board will make recommendations on how to reduce impacts on small businesses. The Board meets every other month to move rules through the process faster.

A seven member Small Business Committee was created within the Department to review every rule change for each Board or Section to check whether a rule change would create an impact on small businesses.

Having rule changes go before the Small Business Committee prior to being sent on to the legislature may stop further delays at the Legislature Review Board. The Section discussed having input on selecting Committee members to represent their profession.

The Small Business Committee in the Department will conduct meetings as often as needed to review rule changes.

STATUTES AND ADMINISTRATIVE RULES DISCUSSION

ARCHITECTS

James Otto, Chair

Continuing Education, Preliminary Steps and Research

Mr. Otto reported that the Section is working on the draft of enabling legislation that allows each section to promulgate continuing education rules. Modifications were made to the fiscal effect of the proposal. The fiscal impact in and of itself of the legislative change will not exist to create enabling legislation. There will be a fiscal impact that will depend upon how each section carries out the administrative rules.

ARC Rolling Clock Plan

NCARB instituted a five year rolling clock for the Architects exam. Any section of the examination passed after 2006 would fall away after five years, if all parts of the exam have not been completed and passed. Any exam that falls away will have to be retaken. The Section discussed rule changes and a rule change would not be required.

NAAB Degree Requirement

The Section has been discussing pursuing the requirement of an NAAB accredited degree and having the experience option fall away as the only avenue to licensure as an architect. Nothing has happened since November of 2004. Mr. Otto met with the AIA Wisconsin Board of Directors on April 1, 2005 and gave a presentation on the Section's initiatives. The AIA was receptive to Wisconsin's initiative. The Section is currently researching what the impact would be and what the processes would be to implement the NAAB degree requirement.

Design Build

Discussion only, not proposing any rule changes at this time.

Other Issues Raised Related to Rules

None

LANDSCAPE ARCHITECTS

Jay Fernholz, Chair

Continuing Education

Mr. Fernholz reported that the Section unanimously favors promulgating rules for continuing education. Section members plan on auditing a 5% sampling of continuing education credits at minimal or no costs to the Department.

Practice Protection

Mr. Fernholz discussed the Model Law and discussed a list of 10 definitions regarding the practice of landscape architecture from the rules drafter. The list of practices landscape architects may do is just a list of practice and is not just inclusive to the practice of landscape architects. Some of the language infringes on the land surveyors practice.

Exam Eligibility

Mr. Fernholz tried to put through the opportunity of allowing landscape architects to take the LARE examination prior to meeting the two year experience requirements to put Wisconsin in line with other jurisdictions. Other jurisdictions immediately around Wisconsin still require the experience requirement prior to allowing candidates to write the LARE examination.

Rolling Clock

The Section is looking at the rolling clock issue. CLARB is looking at increasing the number of examinations.

Other Issues Raised Related to Rules

None.

PROFESSIONAL ENGINEERING

Lynda Farrar, Chair

Barrier Free

Mr. Lowrie reported that Martin Hanson will introduce the finalized draft.

Comity Rule Update

Motion will be made under Item # 12.

Exam Requirement

Mr. Lowrie reported that the legislation came back from the legislative reference bureau for drafting. Martin Hanson will introduce drafts when finalized.

Examination Review Elimination

Mr. Lowrie reported that the legislation came back for drafting. Martin Hanson will introduce drafts when finalized.

Continuing Education

No discussion

Other Issues Raised Related to Rules

James Rusch reported on items that were critical to the professional engineers and the Joint Board from the 2005 NCEES Joint Interim Meeting, Central and Northeast Zone meeting he attended in Washington DC on April 7-9, 2005. The National council has observed that newer engineering graduates seem to generally be less well equipped to practice design than graduates of 10 to 15 years ago. Accredited programs require more credits in the humanities and fewer credits of a technical nature. The present suggestion is to require an additional 30 credits beyond the ABET-EAC accredited BS degree to qualify to sit for the PE exam.

There was a proposal relating to who may vote for member jurisdictions at the Annual Meeting. The intent of the president is to force professionals who are on the member boards to be "plugged in" to Council Activities. It was thought that if the only delegate who could vote were a member board delegate rather than a member board administrator or a designated staff person, then more

professionals would attend and participate in Council activities. To change an extant policy could eliminate the vote of several jurisdictions. The Northeast Zone and Central Zone was in opposition. The compromise suggested was that if an associate is to be the delegate, then that person should always be the delegate for purposes of consistency. The down side of not having a professional person is the lack of time to be involved in committee work.

DESIGNERS

James Dorn, Chair

Continuing Education

Mr. Dorn reported that the Designers Section is in favor of continuing education. Not all Sections would be required to implement continuing education.

443.07 Revisions – Elimination of Grandfather Clause

A request for legislation was distributed that will eliminate the 12 year experience/35 years of age licensure alternative by repealing ss 443.07(1)(b) Stats. Education requirement was kept at eight years of satisfactory design experience and completion of a written examination.

Other Issues Raised Related to Rules

None.

LAND SURVEYORS

Rick Van Goethem, Chair

State Jurisdictional

Mr. Van Goethem reported on the public hearing regarding the state jurisdictional examination and changing of the name of the examination. The rule change is ready to be forwarded to the legislature.

Examination Review Update

The Section is working on a rule change to not allow applicants to review NCEES examination due to NCEES policy and security reasons.

Continuing Education

The Section supports enabling legislation for continuing education.

Other Issues Raised Related to Rules

A subcommittee of Wisconsin Society of Land Surveyors met and suggested overall word changes to the A-E administrative rules. The rules committee endorsed the changes as recommended.

MOTION: Rick Van Goethem moved, seconded by Donna Rozar, to approve the A-E rule changes as recommended by the A-E Joint Board Rules Committee. Motion carried unanimously.

SECTION MEMBER REPORT

Architects (*James Otto, Chair*)

Walter Wilson reported on the NCARB Regional Meeting with Region II and Region IV at the Pfister Hotel in Milwaukee WI conducted over two days on March 11-12, 2005. Highlights of the meeting included:

- A program on Forensic Architecture
 - What is Forensic Architecture
 - Building Failures
 - Causes of Building Failures
 - Property Damage
 - Ethical Considerations
 - Safety and Premise Security
- Encourage licensure.
- Determine when applicants should sit for examinations.
- Cost of examinations.
- Electronic voting at Engineers Conference.
- Delegate voting process.
- Preparing to have strategic planning session.
- August 2005-08 begin strategic planning process.
- International agreements – having NCARB certification recognized in other countries.
- Cheating on ARE examinations.
- Regional executive comments.
- Re-direct staff and work on job descriptions.
- In 2007 hosting Region IV and Region III meeting.
- Develop new leadership in NCARB.
- Next member Board meeting will be in Miami FL June 22, 2005. Encourage members to bring family.
- Customer information systems.
- Emerging professional programs.
- 140 Board members.

James Otto was elected as Chair of the Regional Board for 2005-06.

Gary Gust, Architect Section, IDP Coordinator stated that NCARB financed a two day trip to Washington DC to discuss their new role in the IDP program. The new publication is on-line and is up-to date and current.

Landscape Architects (*Jay Fernholz, Chair*)

Rosheen Styczinski reported on the CLARB Regional meeting she attended in Denver, Co. on February, 2005. Highlights of the meeting included:

- Electronic administration of examination
- More stations for exam
- Increase opportunities to take exam
- Enforcement issues

- Continuing education
- CLARB providing continuing education
- Record keeping center for continuing education
- Clearinghouse of information on where they can take continuing education

Mr. Fernholz reported that the Landscape Architect Section is seeking a practice act rather than a title act.

Professional Engineers (*Lynda Farrar, Chair*)

The Professional Engineers Section was not represented at this meeting.

Designers (*James Dorn, Chair*)

James Dorn reported that the Designers Section met on December 14th and approved applications and met for a Class 1 hearing prior to this meeting. They will review eleven applications this afternoon

Land Surveyors (*Rick Van Goethem, Chair*)

Rick Van Goethem reported that the Land Surveyors Section meets twice a year and that the Section is still short one public member.

James Rusch reported on the 2005 NCEES Joint Interim Meeting, Central, and Northeast Zone meeting he attended in Washington DC on April 7-9, 2005. Highlights of the meeting included:

- Who is able to vote from member boards at the annual meetings.
- Determining equivalency and acceptable performance.
- Future structure and requirements for licensure.
- Specialty certification by professional engineers; on-line degrees and licensure
- Examination policies, procedures and results
- FE and PE exams continue to move toward electronic administration
- Security and actual implementation are the major hurdles.
- Elimination of cheating and stealing exams.
- Internal concerns regarding the committee and exam processes.
- Continue to investigate supplying calculators for all exams.
- Restructuring EPP by adding two sub-committees on exam development and exam administration will be discussed at the Annual Meeting.
- Helping industrial engineers and governmental engineers qualify for and obtain licensure.
Allow industrial engineering experience to qualify toward licensure provided that experience is obtained under the supervision of a qualified engineer and legitimately involves engineering design and/or construction.
- Proposal for the future structure of engineering licensure.
 - Waive the FE exam if the undergraduate degree is from an ABET-EAC accredited program and the candidate has earned an advanced degree.
- Study waiving some requirements of the FS exam for photogrammetry and GIS licensure as a Surveyor. Four jurisdictions presently license photogrammetrists and GIS professionals, and several others are moving in that direction.
- Investigating a rewrite of the Structural I and Structural II exams rather than prepare a Structural III exam.

- Suggested requiring an additional 30 credits beyond the ABET-EAC accredited BS degree to qualify to sit for the PE exam.
- Working on an exam for photogrammetry and GIS.
- Licensing photogrammetrists and GIS professionals

The 84th annual meeting for the NCEES will be held August 24-27, 2005 at the Peabody Hotel in Memphis TN and include the entire 64 jurisdictions.

MOTION: Donna Rozar moved, seconded by James Dorn to nominate James Rusch as the voting delegate to attend the 84th Annual Meeting for the NCEES on August 24-27, 2005 at the Peabody Hotel in Memphis TN. to represent the Wisconsin land surveyors and professional engineers. Motion carried unanimously.

NEW BUSINESS

None.

OTHER SUCH ITEMS AS AUTHORIZED BY LAW

Adoption of Comity Rule – Professional Engineer Section

The rule will become effective on June 1, 2005.

MOTION: James Rusch moved, seconded by Rick Van Goethem to adopt Clearinghouse Rule 03-087. Motion carried unanimously.

VISITORS COMMENTS

None.

ADJOURNMENT

MOTION: Donna Rozar moved, seconded by James Dorn to adjourn the meeting at 12:05 p.m. Motion carried unanimously.

Next meeting – November 9, 2005